

## **REMARKS/ARGUMENTS**

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided.

Claims 1, 3-5, 8, 31, 32 and 34-45 are currently pending. Applicants respectfully request reconsideration of the outstanding objection and rejections, and allowance of all the claims pending in the present application.

### **Objection to the Specification**

In the Official Action, the Examiner objected to the Specification for failing to provide proper antecedent basis for the recitation of the nozzle cleaner being configured to spray the washing water, heated by the heating system, in a form of at least one of high-temperature water and vapor (see page 2, paragraph 1 of the Official Action).

Applicants respectfully traverse the above-mentioned objection to the Specification. In particular, Applicants submit that at least the last paragraph beginning on page 5 of the present Specification provides adequate support for the aforementioned feature. In this regard, Applicants note that the description in the preceding paragraph describes the heating of washing water to an exemplary temperature (e.g., not more than 100° C), and the paragraph beginning at page 5, lines 24, discloses that the nozzle cleaning device may clean the human body washing nozzle device by vapor. Thus, Applicants submit that is clear from at least the nexus between the foregoing paragraphs, as well as the present disclosure as a whole, that the nozzle cleaner being configured to spray the washing water, heated by the heating system, in a form of at least one of high-temperature water and vapor is fully supported by the original Specification.

Accordingly, Applicants submit that the Examiner's objection to the Specification is improper and should be withdrawn.

**Rejections under 35 U.S.C. § 112**

In the Official Action, the Examiner rejected claim 1 under 35 U.S.C. § 112, first paragraph, and claims 1, 3-5, 8, 31, 32 and 34-37 under 35 U.S.C. § 112, second paragraph.

In setting forth the rejections, the Examiner asserts that the present Specification does not describe the nozzle cleaner being configured to spray the washing water, heated by the heating system, in a form of at least one of high-temperature water and vapor. However, as discussed supra, Applicants submit that the last paragraph beginning on page 5 of the present Specification provides adequate support for the aforementioned feature.

Accordingly, Applicants submit that the Examiner's above-listed rejections are improper and should be withdrawn.

**Rejections under 35 U.S.C. §§ 102 and 103**

In the Official Action, the Examiner rejected claims 1, 8 and 37 under 35 U.S.C. § 102(b) as being anticipated by MARUYAMA et al. (2001-152517);

the Examiner rejected claims 3-5 under 35 U.S.C. § 103(a) as being unpatentable over MARUYAMA;

the Examiner rejected claims 31, 32, 34, 38-43 and 45 under 35 U.S.C. § 103(a) as being unpatentable MARUYAMA in view of SHIGERU et al. (JP 2000-213038); and

the Examiner rejected claims 35, 36 and 44 under 35 U.S.C. § 103(a) as being unpatentable MARUYAMA in view of SATO et al. (JP 2004-0019962).

Applicants respectfully traverse the Examiner's above-listed rejections.

In this regard, Applicants submit that the applied prior art, alone or in any reasoned combinations, does not disclose at least the combination of elements as recited in independent claim 1.

In particular, claim 1 generally sets forth a sanitary washing apparatus including: a heating system configured to heat washing water; a human body washing nozzle having a discharge port that discharges washing water heated by the heating system so as to wash the human body; and a nozzle cleaner having a spray port and positioned externally of the human body washing nozzle, the heating system comprising a heat exchanger having a snaking internal flow path, and the nozzle cleaner being configured to spray the washing water, heated by the heating system, in a form of at least one of high-temperature water and vapor from the spray port onto at least an outer surface of the discharge port of the human body washing nozzle so as to sterilize at least an outer surface of the human body washing nozzle adjacent the discharge port by high-temperature cleaning.

In setting forth the above-listed rejections, the Examiner asserts that MARUYAMA discloses the presently claimed heat exchanger having a snaking internal flow path (see, page 4, lines 2-4 of the Official Action).

Contrary to the Examiner's assertions, Applicants submit that MARUYAMA merely discloses a heating coil 6a positioned within a housing 6 (see, 6a Figure 1 of

MARUYAMA). That is, Applicants submit that the heating coil 6a of MARUYAMA does not have an internal flow path.

Thus, Applicants submit that MARUYAMA does not disclose at least the presently claimed heat exchanger having a internal flow path; much less, a snaking internal flow path, as generally recited in claim 1 (and as described in at least page 25, lines 12-14 of the present Specification).

Additionally, Applicants submit that SHIGERU and SATO do not disclose anything which can be reasonably considered to supply the deficiencies of MARUYAMA as discussed supra.

Further, Applicants submit that by using the presently claimed heating system there is no need to heat or store the washing water and/or vapor before use. Thus, both a space for storing warm water and heat dissipation loss can be eliminated. Additionally, because the temperature of warm water can be controlled instantly by the presently claimed heating system (or instantaneous heating device, as recited in claim 38), washing water can be heated to an optimum temperature for use during sterilization. Further, the temperature of the washing water can be lowered in a short time after use, thereby resulting in appropriate heating of washing water for private parts so as to ensure human safety.

Further, without acquiescing to the propriety of the Examiner's rejection of claim 38, Applicants submit that claim 38, as amended, is similar to claim 1 in that it recites, inter alia, a first heating device configured to heat washing water, the first heating device having a snaking internal flow path; and a human body washing nozzle having a

discharge port that discharges the washing water heated by the first heating device for washing the human body.

Accordingly, Applicants submit that claim 38 is allowable for at least similar reasons set forth with respect to claim 1, as discussed supra.

Accordingly, Applicants submit that the rejections under 35 U.S.C. §§ 102 and 103 are improper and should be withdrawn.

In view of the arguments herein, Applicants submit that independent claims 1 and 38 are in condition for allowance. With regard to dependent claims 3-5, 8, 31, 32, 34-37 and 39-45, Applicants assert that these claims are allowable on their own merit, as well as because of their respective dependencies from independent claims 1 and 38, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all of the pending claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in any proper combination, and an indication to such effect is respectfully requested, in due course.

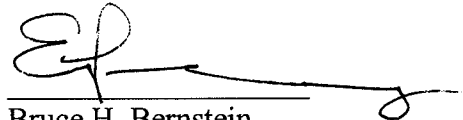
## SUMMARY

Applicants submit that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have argued the allowability of the claims and pointed out deficiencies of the applied references. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Shigeru SHIRAI et al.

A handwritten signature in black ink, appearing to be 'BH Bernstein', written over a horizontal line.

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